



*Unto the Reverend the Presbytery of Toronto of the  
Presbyterian Church of Canada, in connection with  
the Church of Scotland.*

THE MEMORIAL and complaint of the Subscriber,  
being a Member of St. Andrew's Church Congre-  
gation, Toronto, within the bounds of said Pres-  
bytery,

HUMBLY SHEWETH :

That your Memorialist and complainant has been connected with the congregation of St. Andrew's Church, Toronto, for the last twenty-four years, and that he and his family have been admitted to the full enjoyment of religious privileges therein.

That recently he has for a season been compelled, from conscientious objections to the use of instrumental music in public worship, to discontinue his attendance on the means of grace in said St. Andrew's Church.

That he has on more than one occasion, quietly, to individual members of the congregation, and also to the Minister, stated his dislike to a melodeon being used in the praise of God, and that, for the sake of peace and out of esteem for the Minister, he has not until lately taken the important step of calling the attention of the Session of said Church to the matter, and to his remonstrances and complaint.

That your Memorialist and complainant, on the ninth day of March last, addressed the following *reasons* of dissent to the use of a musical instrument in public worship in said Church, to the Rev. Dr. Barclay, as Moderator of the Kirk Session of St. Andrew's Church :

"First. That the Church in Canada, of which you and your Session are members, is in connection with and professes to be governed by the whole Standards and Acts of the Established Church of Scotland.

"Second. That the Established Church of Scotland does not recognize the use of musical instruments of any kind in her Psalmody.

“Third. That notwithstanding such professed adherence, and contrary to the discipline of said Church of Scotland, an organ, or, as it is called, melodeon, has been introduced into St. Andrew’s Church, of which I am or have been a humble member.

“Fourth. That the use of such an instrument, or any other, is a gross innovation for which there is no precedent, and ought not to be tolerated by any true Presbyterian, claiming connection with the venerable Church of Scotland, the brightest gem in the history of our country, and whose discipline and standards have, notwithstanding many severe trials, stood the test of ages, nor is it too much to say that at this moment she stands on the pinnacle of her glory in the hearts of her many thousand adherents.

“Fifth. That I cannot conscientiously continue to attend upon the public worship of God in a Church where a musical instrument is used in praising God, whether as an accompaniment or otherwise.

“Lastly. That I would deeply regret leaving St. Andrew’s Church, where I have sat so long, and where I had hoped to remain undisturbed until the close of my earthly career, but as it has otherwise happened, I hesitate not to say that I prefer to leave the Church rather than submit to what has become to me intolerable.”

To which the following deliverance was sent in reply to your Memorialist :

“At Toronto, and within St. Andrew’s Church there, the 20th day of March, 1859, the Session of St. Andrew’s Church met, on the call of the Moderator, and was duly constituted. Present: Rev. Dr. Barclay, Moderator; Judge McLean, and Messrs. Cameron and Thomson.

“The Moderator stated that he had called the present meeting in consequence of the receipt of letters from John Robertson, Esquire, complaining of the employment of a melodeon in conducting the Psalmody of the Church, and embodying a statement of his reasons for objecting to its use, his aversion to which he assigns as his sole reason for discontinuing his attendance at public worship in St. Andrew’s Church. Said letters were read, and are of the following tenor.

"TORONTO, 23rd February, 1859.

"Rev. Doctor

"John Barclay.

"St. Andrew's Church,

"Toronto.

"REV. DEAR SIR,—

"Presuming you are aware that I have, for several Sabbaths past, absented myself from St. Andrew's Church, and understanding that my being so absent, is attributed to other than the real reason, I think it due to myself to state to you emphatically that I leave St. Andrew's Church for one reason only, namely, my conscientious objection to the introduction of an Organ, or, as it is called, a Melodeon, into the Church, and which objection, on my part has not been altogether unknown to you.

"Having briefly stated without discussion, the true reason for my leaving St. Andrew's Church, where I have sat for the last twenty-four years, permit me in taking leave of you, to express my fervent hope that you and your Congregation may enjoy the blessing of the Divine Head of the Church, while I doubt not I will be able to find a place where I and my family can conscientiously worship God in accordance with what I consider the true discipline and standards of the Church to which I have been brought up from my infancy, and deeply regretting that anything should have occurred to compel me from conscientious motives to leave St. Andrew's Church.

"I remain,

"Yours very respectfully,

"(Signed,) JOHN ROBERTSON."

"TORONTO, 9th March, 1859.

"REV. JOHN BARCLAY, D.D.

"St. Andrew's Church,

"Toronto.

"REV. DEAR SIR,—

"The enclosed is the letter which, when I last saw you, I stated I had addressed to you, but had not been posted as I intended, nor would it be so now, were it not that I understand your Session has expressed a desire that I would state to you in writing, my reason for disengaging myself from your Congregation, relative to which, and without further introductory remarks, I respectfully beg to submit as my reasons.

"1st. That the Church in Canada, of which you and your Session are members,  
 "is in connection with, and professes to be governed by the whole  
 "Standards and Acts of the Established Church of Scotland.

"2nd. That the Established Church of Scotland, does not recognise the use of  
 "Musical Instruments of any kind in her Psalmody.

"3rd. That notwithstanding such professed adherence, and contrary to the  
 "discipline of said Church of Scotland, an Organ, or as it is called  
 "Melodeon, has been introduced into St. Andrew's Church, of which I am  
 "or have been a humble member.

"4th. That the using of such an Instrument, or any other, is a gross innovation  
 "for which there is no precedent, and ought not to be tolerated by any true  
 "Presbyterian, claiming connection with the venerable Church of Scotland,  
 "the brightest gem in the history of our country, and whose discipline and  
 "standards have, notwithstanding many severe trials, stood the test of  
 "ages, nor is it too much to say, that at this moment she stands on the  
 "pinnaele of her glory in the hearts of her many thousand adherents.

"5th. That I cannot conscientiously continue to attend upon the public worship  
 "of God, in a Church where a Musical Instrument is used in praising God,  
 "whether as an accompaniment or otherwise.

"Lastly,—That I would deeply regret leaving St. Andrew's Church, where I  
 "have sat so long, and where I had hoped to remain undisturbed until the  
 "close of my earthly career, but as it has otherwise happened, I hesitate  
 "not to say that I prefer to leave the Church, rather than submit to what  
 "has become to me intolerable.

"I might write at much greater length on this subject, but I believe  
 "the above is sufficient for all purposes.

"Acting on the principle of not interfering with the feelings of others,  
 "who are more prominent members of the congregation, and entitled  
 "to greater consideration and respect than that due to me, it was my  
 "intention to leave the Church without a word of complaint, nor would  
 "I have done so now, were it not that as I have already said, such a  
 "course was suggested to me, but having by request departed from my  
 "former intention, I take the liberty to state that in the event of an  
 "adverse opinion, I reserve to myself the right of appeal, in case I  
 "should deem such a course advisable.

"I hope for certain reasons, which it is unnecessary for me to  
 "communicate, you will be pleased to favour me early with the result  
 "of your deliberations, and,

"I remain,

"Very respectfully,

"Rev. Dear Sir,

"Your most obedient servant,

"(Signed,) JOHN ROBERTSON."

"After lengthened conversation on the subject, and all the Members of Session having giving expression to their views thereupon, the Moderator was requested to draw up a Minute in accordance therewith, and submit the same to the Session for approval, at a meeting to be held in the Church, on Saturday, the 26th March, at four o'clock p.m., until which time the Session adjourned, and was closed with the benediction.

"Saturday, the 26th March, 1859.—The Session could not proceed to the despatch of business, from the want of a quorum, owing to the absence of members from town; and the meeting was accordingly declared adjourned, to await anew the summons of the Moderator.

"On the 3rd day of April, 1859, the Session met and was constituted; all the Members were present. The Session resumed consideration of Mr. Robertson's letter, and after mature deliberation, agreed to the following deliverance:

"The Session regret that anything connected with the mode of conducting public worship in St. Andrew's Church should be distasteful to any member of the congregation. The Session have no desire to introduce or sanction any improper innovation. They expressly disavow the introduction or sanctioning of what may properly be called instrumental music as a part of the Church service.

"It is true that a melodeon was introduced into St. Andrew's Church, about eight years ago, by the choir, with the express object of its being used as an accompaniment to help in sustaining the voice of the singers, and thus to improve, as was generally thought and desired, the style in which that part of divine service was conducted. If not absolutely or indispensably necessary, it was yet regarded as so important and yet harmless an adjunct, that the Session never thought of prohibiting its use, but on the contrary felt that it was generally regarded as well fitted for, and that it did to a considerable extent attain, the object for which it was adapted. Besides, had the Session been disposed to object to it as unnecessary, they might still very properly have hesitated to require its removal now, from the consideration that it really seemed but a small concession to the expressed wishes of those ladies and gentlemen who had for so many years given their services in the choir, and who, although acting in this from a sense of duty to the Church,

"have not the less strong claim upon the other members for the  
 "thankful recognition of services which it is believed the congregation  
 "at large duly appreciate, and would not be slow on all proper  
 "occasions to acknowledge. The arrangement at present existing,  
 "having gone on for nearly eight years, during which a melodeon has  
 "been in use for the purpose stated, without, so far as the Session are  
 "aware, its being other than acceptable to the congregation, it seems  
 "undesirable, except for sufficient reason, to deprive the choir of the  
 "aid which they deem indispensable to the proper discharge of their  
 "important duties in conducting the Psalmody of the Church.

"It is true that whilst the present instrument, just introduced to  
 "replace the old and inferior one, is of a larger size and requires  
 "greater experience to play it properly, the choir at the same time  
 "happened to be diminished in numbers, and thereby weakened by  
 "the temporary absence of several of its members, so that in this  
 "way the melodeon may for a few Sabbaths have been more prominent  
 "than was formerly the case, and thus some ground may have, unin-  
 "tentionally, been given for the objection that a step was in contem-  
 "plation towards instrumental music taking the lead and becoming  
 "predominant in the praises of the Sanctuary. But these causes are  
 "only temporary, and there is not, so far as the Session are aware,  
 "any intention or desire to use the instrument permanently for any  
 "other purpose than that for which it was introduced—namely as a  
 "simple accompaniment to aid and sustain the voices of members of  
 "the choir, who feel and represent it to be highly desirable. Certainly  
 "no attempt to turn the church music into what may be properly  
 "styled *instrumental*, or to give, as erroneously supposed was the  
 "intention, a greater prominence to the melodeon than which is indi-  
 "cative above, would meet the approval of the Session.

"Had the Directory of Public Worship prohibited the use of an  
 "instrument in connection with the Psalmody, the Session, of course,  
 "as obedient sons of the Church, would not have given even the  
 "modified sanction of their tacit consent to its introduction. But no  
 "such prohibition, so far as they are aware, is to be found either in  
 "the word of God or in the standards of the Church of Scotland.  
 "And the Session are persuaded that the use of an instrument,  
 "especially to the extent and for the purpose to which, in the present  
 "case, it is restricted, may well be regarded as one of those things  
 "non-essential, respecting which a difference of sentiment may exist

"among the members of a congregation, without involving the  
 "necessity on the part of any one, on that account, of taking the  
 "extreme step of severing his connection with the church.

"So far as the members of Session are personally concerned, they  
 "would be satisfied to have the Psalmody in the congregation con-  
 "ducted either *with* or *without* the aid of an instrument, as they trust  
 "that in either way they could profitably, and with the true feeling of  
 "devotion, join with their fellow-worshippers in the praises of God.  
 "But the question as presented for their consideration is not one  
 "respecting the *introduction* of an instrument but, about the *removal*  
 "of it *after nearly eight years use*. And whilst they are given  
 "to understand that the forced discontinuance of the very simple  
 "instrumental aid to the choir in conducting the Psalmody would be  
 "very unacceptable to the congregation generally, and would draw  
 "forth the strong remonstrances of many of its members, the Session  
 "(while entertaining every desire to meet the wishes of those who  
 "may seek the change) yet feel convinced that for the peace and  
 "harmony of the congregation it would not be advisable, except for  
 "the gravest reasons, to insist on its expulsion now.

"In view of the explanation already given as to the reason for the  
 "original introduction of the melodeon and its present retention, and  
 "considering the assurances as to the mode of employing it for the  
 "future, the Session are reluctant to surrender the hope that the  
 "objections expressed by Mr. Robertson may be so far obviated as to  
 "enable him with propriety to continue his connection with St. Andrew's  
 "Church, from which they would with great regret see him withdraw.

"They are unwilling to suppose that his conscientious scruples, as  
 "stated in his letter of complaint, and which appears to have been  
 "drawn forth into practical expression by the circumstance already  
 "referred to as recent and temporary, would lead him to consider that  
 "part of the service during the last eight years impure and unbecom-  
 "ing, merely because of the slight aid the choir have sought and found  
 "in the employment of a melodeon; and certainly it cannot be proper-  
 "ly regarded as more objectionable if used for the same purpose for  
 "the future than it has been for the past period during which it has  
 "been so employed.

"In this declining, in present circumstances, to require authorita-  
 "tively the removal of the melodeon, the Session trust that Mr.  
 "Robertson will receive their assurance that it is from no desire on



"their part, nor any intention to slight his views, or to treat lightly  
 "his conscientious scruples as expressed in his letter, that they have  
 "adopted this resolution. And while in the introduction of the  
 "instrument there has at least been no more wanton desire for useless  
 "innovation,—but a felt necessity has led to its use to enable the  
 "choir to perform their important duties, as already stated, with  
 "greater facility and effect,—the Session are persuaded that its removal  
 "would occasion general dissatisfaction and remonstrance, and would  
 "be in itself, at present, inexpedient.

"The Session was then closed with the benediction.

"(Signed)

"JOHN BARCLAY, Moderator.

"A true extract,

"(Signed,) J. BARCLAY, Acting Clerk of Session.

"St. Andrew's Church, Toronto,

"April, 1859."

That your Memorialist and complanant fails to discover the relevancy or cogency of the decision of the Kirk Session of St. Andrew's Church as tending even in an indirect way to meet his conscientious objections or to satisfy his scruples, and that in consequence, being sincerely desirous of worshipping God according to the manner of the church into which he was baptized, and deeming it a great hardship to be forced to leave a communion to which he is firmly attached, and judging that it might tend to allay all future differences in the mode of conducting public worship within the Presbyterian Church of Canada in connection with the Church of Scotland, he appeals to the Presbytery for redress.

May it therefore please your Reverend Court to take the foregoing statements and reasons into consideration, and if found sound and warrantable, to adopt or direct such means as you may think expedient for removing the evil complained of, or otherwise to do in the premises as to you may seem best; and your Memorialist and complainant, as in duty bound, shall ever pray.

JOHN ROBERTSON.

Toronto, 17th May, 1859.

## Reasons of Protest and Appeal

*By the Subscriber, against the decision or finding of the Presbytery of Toronto, at its meeting on the 15th November, instant, in the case "Complaint against the Kirk Session of St. Andrew's Church, Toronto," and which said decision or finding is as follows :*

"At Toronto, and within St. Andrew's Church ; Tuesday, the fifteenth  
"day of November, one thousand eight hundred and fifty-nine  
"years, which day the Presbytery of Toronto being met according  
"to appointment, and constituted with prayer."

### "INTER ALIA."

"The Memorial and Complaint of John Robertson against a  
"finding of the Kirk Session of St. Andrew's Church, Toronto, anent  
"the use of Instrumental Music in the Psalmody of the said church,  
"the consideration of which had been deferred from last meeting, was  
"then taken up, said memorial was read at length, and parties were  
"called, when there appeared Mr. Robertson for himself, and Dr.  
"Barclay for the Kirk Session of St. Andrew's Church aforesaid.  
"Parties having been heard were then removed from the bar, and the  
"Presbytery proceeded to adjudicate on the matter complained of. After  
"mature deliberation, the following motion was made by Mr. Barker,  
"and seconded by Mr. Douglas: 'That the introduction of Instrumental  
"Music into the Presbyterian Church of Canada, in connection with  
"the Church of Scotland, is an innovation even as an aid, yet under  
"the peculiar circumstances in which the Melodeon has been intro-  
"duced into St. Andrew's Church, Toronto, and because of its long  
"continuance therein, the Presbytery deem it inexpedient to disturb  
"existing arrangements in said congregation. At the same time, the  
"Presbytery embrace the opportunity to exhort the members of the  
"congregation to cultivate vocal music to the utmost extent of which  
"their circumstances will admit.' To this it was moved in amendment  
"by Mr. Campbell (Nottawasaga,) and seconded by Mr. Turnbull :  
"The Presbytery having taken up the complaint and appeal of Mr.

“ ‘John Robertson against a decision of the Session of St. Andrew’s Church, Toronto, respecting the use of Instrumental Music therein, “ ‘after mature deliberation, decern, That Instrumental Music having “ ‘been excluded from the public services of the Church of Scotland in “ ‘every age, has thereby become illegal by prescription, if not by “ ‘enactment—that the Session of St. Andrew’s Church be hereby “ ‘enjoined to give all diligence to the cultivation of church music, in “ ‘order that they may dispense with the use of said instrument as soon “ ‘as possible. And the Presbytery further enjoin upon all their Kirk “ ‘Sessions the careful observance of all the laws and practices of the “ ‘church.’ The roll having been called, and the votes marked, the “ ‘motion was carried by a majority of eight to five, and the Presbytery “ ‘decerned accordingly. Parties were then called in, and the judgment “ ‘intimated. Whereupon, Mr. Robertson protested for leave to com- “ ‘plain to the Synod at its next meeting, promising to give in reasons “ ‘in due time, took instruments in the Clerk’s hands and craved “ ‘extracts, which was granted.

“ ‘Extracted from the minutes of the Presbytery of Toronto, by

“ ‘(Signed,) JOHN BARCLAY. *Pby. Clk.*”

In compliance with which decision, as above written, the following reasons are submitted :

*First.*—The decision or finding of the Presbytery contains the allegation “ ‘That the introduction of Instrumental Music into the Presbyterian Church of Canada, in connection with the Church of Scotland, is an innovation even as an aid.” This allegation has been maintained by the complainant in this case from the beginning, this premise being granted, the conclusion arrived at by the Presbytery must fall to the ground.

*Second.*—The complaint shows, that Instrumental Music is an innovation, that the Kirk Session of St. Andrew’s Church have been guilty of innovation. The conclusion, therefore, of the Presbytery, deeming “ ‘it inexpedient to disturb existing arrangements” in St. Andrew’s Church, Toronto, is wholly inconclusive.

*Third.*—Because no “ ‘peculiar circumstances” whatever can justify a breach of the use and wont of the Presbyterian Church of Canada, in connection with the Church of Scotland, in reference to the use of instrumental music in public worship, each congregation within the

bounds might lay claim to plead "peculiar circumstances," which might tend to the total subversion of the good order and discipline of the church. Moreover, it is submitted, that the Synod, and not any inferior court, has a right to decide what those "peculiar circumstances" are, which may give, if followed out, an entirely new complexion to the mode of conducting divine service.

*Fourth.*—It is alleged that "it is inexpedient to disturb existing arrangements in said congregation, because of its long continuance therein." In reply, the complainant humbly submits, that this is no adequate reason for the decision come to, inasmuch as the length of time an abuse or innovation has existed, cannot possibly be any ground for its not being corrected, when the attention of the church courts has been respectfully called to such innovation.

*Fifth.*—The innovation complained of having been admitted by the Presbytery, it is submitted that they were bound, as the guardians of the public interest of the church, to rectify such a departure from the principles and practice of the church, before enjoining on the congregation of St Andrew's Church "to cultivate vocal music to the utmost extent of which their circumstances will admit."

All which is humbly and respectfully submitted by

JOHN ROBERTSON.

Toronto, 24th November, 1859.